

1 STATE OF WISCONSIN : CIRCUIT COURT : MANITOWOC COUNTY
2 BRANCH 1

3 STATE OF WISCONSIN,

4 PLAINTIFF, JURY TRIAL - DAY 24
5 vs. CLOSING ARGUMENTS, CONTD.
Case No. 05 CF 381

6 STEVEN A. AVERY,

7 DEFENDANT.

8
9 DATE: MARCH 15, 2007

10 BEFORE: Hon. Patrick L. Willis
Circuit Court Judge

11 APPEARANCES: KENNETH R. KRATZ
12 Special Prosecutor
On behalf of the State of Wisconsin.

13 THOMAS J. FALLON
14 Special Prosecutor
On behalf of the State of Wisconsin.

15 NORMAN A. GAHN
16 Special Prosecutor
On behalf of the State of Wisconsin.

17 DEAN A. STRANG
18 Attorney at Law
On behalf of the Defendant.

19 JEROME F. BUTING
20 Attorney at Law
On behalf of the Defendant.

21 STEVEN A. AVERY
22 Defendant
Appeared in person.

23 TRANSCRIPT OF PROCEEDINGS

24 Reported by Diane Tesheneck, RPR

25 Official Court Reporter



1 ask you, just kind of for the sake of talking, as
2 Mr. Strang wanted to talk with you rather than at
3 you, I certainly have a style that I would prefer
4 that as well. Let's assume they never found the
5 key. Let's assume this key isn't part of this
6 case at all.

7 Let's assume Mr. Strang's theory is
8 correct, that these cops aren't trying to plant
9 an innocent person, but trying to make sure that
10 a guilty person is found guilty. Well, can't you
11 then, with that argument, set the key aside? Do
12 you have the ability, as a jury, to set that key
13 aside, if in fact it doesn't matter whether or
14 not Mr. Avery is guilty or not guilty in this
15 analysis? Can you set that aside and decide is
16 there enough other evidence, or is the key the
17 only thing that points to Mr. Avery?

18 Well, if this was a CSI case, one of
19 those cases on TV where sometimes that key, or
20 sometimes one little piece of evidence like that
21 may decide the guilt or innocence, it would make
22 a difference. But that key, in the big picture,
23 in the big scheme of things here, means very
24 little. All right.

25 Now, I'm telling you that not because I

1 don't want you to consider it, not because I
2 think that it's not important, or not because the
3 credibility of these officers is in question to
4 the State at all. What I am suggesting, though,
5 is that if you buy Mr. Strang's argument, if you
6 buy Mr. Strang's argument that they were trying
7 to make sure that a guilty person was found
8 guilty, then assigning accountability to the
9 murder for Teresa Halbach, shouldn't matter
10 whether or not that key was planted.

11 In other words, it shouldn't matter to
12 the Halbach family. You shouldn't be punishing
13 the police officers, in other words, the other
14 officers that were involved in this
15 investigation, if you come to that conclusion.
16 You are not going to. You are not going to come
17 to that conclusion because you have heard nothing
18 about these police officers that they would do
19 such a thing. But my suggestion is simply not to
20 focus all your attention.

21 In the law, that's called searching for
22 doubt. The Judge has told you, and may even tell
23 you again in your closing instruction, that you
24 are to search for the truth, you are not to
25 search for doubt. In other words, you don't go